




State of Rhode Island and Providence Plantations
DEPARTMENT OF EDUCATION
Shepard Building
255 Westminster Street
Providence, Rhode Island 02903-3400

Deborah A. Gist
Commissioner

To: Superintendents, Charter School Leaders and District Title I Directors and the Rhode Island Committee of Practitioners

From: Jennifer Smith, Chief School Transformation Officer 

Date: December 24, 2010

Subject: Comment Period on Title I Section 1003(g) Waiver Request

The U. S. Department of Education has discretion to grant waivers of the Elementary and Secondary Education Act of 1965 (ESEA) statutory and regulatory requirements under section 9401 of that act. The Secretary of Education recently invited State Education Agencies (SEAs) to submit waivers of certain Title I Section 1003(g) requirements for School Improvement Grants (SIG) to persistently lowest achieving schools.

This notice is to inform you of the opportunity you have to comment on the waiver requests RIDE will submit as part of its application for these SIG funds. Further information on the SIG requirements referenced in these waiver requests can be found at:

<http://edocket.access.gpo.gov/2010/2010-27313.html>

These are the requests for waivers RIDE intends to make in its current SIG application.

Tier II Waiver: In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2010 competition, waive paragraph (a)(2) of the definition of “persistently lowest-achieving schools” in Section I.A.3 of the SIG final requirements and incorporation of that definition in identifying Tier II schools under Section I.A.1(b) of the requirements to permit the State to include, in the pool of secondary schools from which it determines those that are persistently lowest-achieving schools in the State, secondary schools from which it determines those that are the persistently lowest-achieving schools in Rhode Island, secondary schools participating under Title I, Part A of the ESEA that have not made adequate yearly progress (AYP) for at least two years or are in Rhode Island’s lowest quintile of performance based on the NECAP assessments in reading/language arts and mathematics combined.

School Improvement Timeline Waiver: Waive section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I, Tier II, and Tier III Title I participating schools that will fully implement a turnaround or restart model beginning in the 2011-2012 school year to “start over” in the school improvement timeline.

Schoolwide Program Waiver: Waive the 40 percent poverty eligibility threshold in section 1114(a)(1) of the ESEA to Permit LEAs to implement a schoolwide program in a Tier I, Tier II, or Tier III Title I participating school that does not meet the poverty threshold and is fully implementing one of the four school intervention models.

Period of Availability of FY 2009 Carryover Funds Waiver: Waive section 421(b) of the General Education Provisions Act (20 U. S. C. pp 1225(b) to extend the period of availability of FY 2009 carryover school improvement funds for Rhode Island and all its LEAs to September 30, 2014.

Once these waivers are approved by US ED a district will need to identify in its SIG application those waivers it intends to implement.

Comments on the Rhode Island request for waivers should be submitted by e-mail to Dr. Jennifer Smith at Jennifer.Smith@ride.ri.gov no later than January 7, 2010.